

## **REMARKS**

Applicant respectfully requests reconsideration and allowance of the subject application.<sup>1</sup> Claims 4 to 7, 10, 11, 14, 17 to 20 and 22 to 25 are pending. Independent claim 23 has been amended to be more consistent with independent claims 4, 11 and 18.

### **I. Specification**

The Office Action objects to the specification because it allegedly does not disclose a "computer readable medium" as recited in claims 11, 14 and 17. Furthermore, the Office Action alleges the "specification does not mention [that] this medium is [a] storage medium." (Office Action, p. 2). Applicant respectfully disagrees.

As previously discussed in the Amendment filed on April 10, 2009, page 5, lines 17-19, Applicant's specification states, for example, "[e]ach of the server 12 and client respectively have associated therewith a computer readable medium 18, 20 for storing programs which implement the processes, procedures and methods of the herein below described inventive protocol." (See *also*, FIG. 1, emphasis added.)

In light of the example above, Applicant respectfully submits that the claimed "computer readable medium" is sufficiently disclosed in the specification. Moreover, the specification supports that the computer readable medium stores programs. In other words, the computer readable medium is a storage medium. Reconsideration and withdrawal of the objection to the specification is, therefore, respectfully requested.

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<sup>1</sup> The Office Action contains statements characterizing the claims and related art. Regardless of whether any such statements are specifically addressed herein, Applicant's silence as to these characterizations does not constitute acceptance of them.

## II. Claim Rejections - 35 U.S.C. § 103

### **Rejection of claims 4 to 6 and 22 to 25 under 35 U.S.C. § 103(a)**

Claims 4 to 6 and 22 to 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Deen et al.* ("*Deen*") (U.S. Patent No. 6,629,127 B1) in view of *Saito et al.* ("*Saito*") (U.S. Patent No. 6,557,024 B1) and further in view of *McChesney et al.* ("*McChesney*") (U.S. Patent No. 5,857,102). Applicant respectfully submits the purported combination of *Deen*, *Saito* and *McChesney* cannot support a rejection of claim 4 under 35 U.S.C. § 103(a) because the Office Action does not establish, at least, that all the elements recited in claim 4 were known in the prior art. (*See KSR International Co. v. Teleflex Inc.*, 550 U.S., No. 04-1350 (U.S., April 30, 2007), 82 USPQ2d 1385, 1395 (2007); M.P.E.P. § 2143.02).

The Office Action concedes *Deen* and *McChesney* do not disclose or suggest "generating at the server, from the snapshot, a response including the administrative data corresponding to the HTTP path name," as recited in Applicant's claim 4. *Saito* does not cure these deficiencies.

*Saito* teaches that a client can access files from a server over a network. (FIG. 1 and Col. 6, lines 48-52). Raw files are held in a server (1000). (*Id.* at lines 63-64). Snapshots of the raw files may be stored in hash tables. (Col. 9, line 65-Col. 10, line 7). Snapshot manager (1511) or (1512) can judge whether a snapshot of a particular raw file stored in a hash table is valid. (Col. 10, lines 11-21). If the snapshot is valid, the snapshot of the raw file is output to the client. (Col. 14, lines 42-64). Alternatively, if the snapshot is invalid, a snapshot is taken of the raw file stored in the server and is then output to the client. (Col. 14, lines 64-67).

*Saito* merely outputs a snapshot of a file. However, *Saito* says nothing about the output including “administrative data,” as recited in claim 4. Accordingly, *Saito* cannot be considered to teach or suggest “generating at the server, from the snapshot, a response including the administrative data corresponding to the HTTP path name” as recited in Applicant's claim 4. (Emphasis added.)

Because none of the cited references disclose or suggest the above-noted feature of claim 4, the purported combination of *Deen*, *Saito* and *McChesney* cannot support a rejection of claim 4 under 35 U.S.C. § 103(a). As such, claim 4 is allowable over the cited references. Claims 5, 6 and 22 are also allowable over the purported combination of *Deen*, *Saito* and *McChesney* at least due to their dependence from claim 4.

Independent claim 23 recites features similar to the distinguishing features discussed above with respect to claim 4. Applicant respectfully submits independent claim 23 is allowable over the cited references for the same reasons set for the with regard to claim 4. Claims 24 and 25 are allowable over *Deen* in view of *Saito* and further in view of *McChesney* at least due to their dependence from claim 23.

**Rejection of claims 7, 11, 14 and 18 under 35 U.S.C. § 103(a)**

Claims 7, 11, 14 and 18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the purported combination of *Deen*, *Saito* and *McChesney*, as applied to claim 4, and in further view of *Dillingham* (U.S. Patent No. 6,327,608 B1). Independent claims 11 and 18 recite similar subject matter to that recited in independent claims 4 and 23. Accordingly, the purported combination of *Deen*, *Saito* and *McChesney* cannot support a rejection of claims 11 and 18 for the same reasons set forth above with regard to claims 4 and 23.

*Dillingham* is cited for its alleged teaching of transmitting an HTML page if a container is not identified within an HTTP path name. (Office Action, p. 6). But *Dillingham* says nothing with regard to "generating at the server, from the snapshot, a response including the administrative data corresponding to the HTTP path name," as recited in Applicant's claims 4 and 23. Moreover, the Office Action does not rely on *Dillingham* for any such disclosure or suggestion.

Accordingly, any combination of *Dillingham* with the purported combination of *Deen*, *Saito* and *McChesney*, still would not teach or suggest the above-identified features of claims 4 and 23. Accordingly, the applied documents cannot support a rejection of claims 11 and 18 under 35 U.S.C. § 103(a). Thus, claims 11 and 18 are allowable over the purported combinations of *Deen*, *Saito*, *McChesney* and *Dillingham*. Claims 7 and 14 are allowable due to their corresponding dependence from claims 4 and 11, in addition to reciting other allowable subject matter.

**Rejection of claim 10 under 35 U.S.C. § 103(a)**

Claim 10 is rejected under 35 U.S.C. § 103(a) as being unpatentable over the purported combination of *Deen*, *Saito* and *McChesney*, as applied to claim 4 above, and in further view of *Harrison et al.* ("*Harrison*") (U.S. Patent No. 6,622,170 B1).

The combination of *Deen*, *Saito* and *McChesney*, do not teach or suggest "generating at the server, from the snapshot, a response including the administrative data corresponding to the HTTP path name," as recited in Applicant's claim 4. *Harrison* does not cure the deficiencies of the purported combination. Accordingly, *Deen*, *Saito*, *McChesney* and *Harrison* cannot support a rejection of claim 10 for the same reasons set forth above with regard to claim 4.

*Harrison* is cited for purportedly disclosing setting path information to allow policy updates. (Office Action, pp. 6-7.) But *Harrison* says nothing with regard to

"generating at the server, from the snapshot, a response including the administrative data corresponding to the HTTP path name." Moreover, the Office Action does not rely on *Harrison* for any such disclosure or suggestion.

Accordingly, any purported combination of *Harrison* with *Deen*, *Saito* and *McChesney*, still would not teach or suggest the above-identified features of claim 4. Thus, the applied documents cannot support a rejection of claim 10 under 35 U.S.C. § 103(a). Therefore, claim 10 is allowable over the purported combination of *Deen*, *Saito*, *McChesney* and *Harrison*.

**Rejection of claims 17, 19 and 20 under 35 U.S.C. § 103(a)**

Claims 17, 19 and 20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the purported combination of *Deen*, *Saito*, *McChesney*, and *Dillingham* (U.S. Patent No. 6,327,608 B1), as applied to claim 11 above, and further in view of *Harrison*.

As noted above, *Harrison* does not teach or suggest "generating at the server, from the snapshot, a response including the administrative data corresponding to the HTTP path name," as recited in Applicant's claims 11 and 18. Consequently, *Harrison* does not cure the deficiencies of the purported combination of *Deen*, *Saito*, *McChesney* and *Dillingham*. Accordingly, the purported combination of *Deen*, *Saito*, *McChesney*, *Dillingham* and *Harrison* cannot support a rejection of claims 11 and 18 for the same reasons set forth above.

*Harrison* is cited for purportedly disclosing setting path information to allow policy updates. (Office Action, p. 7). But *Harrison* says nothing with regard to a "generating at the server, from the snapshot, a response including the administrative data corresponding to the HTTP path name" and the Office Action does not rely on *Harrison* for any such disclosure or suggestion.

Accordingly, any combination of *Harrison* with the purported combination of *Deen, Saito, McChesney* and *Dillingham* still would not teach or suggest the above-identified features of claims 11 and 18. Thus, since claims 17, 19 and 20 depend from claims 11 and 18, the applied documents cannot support a rejection of claims 17, 19 and 20 under Section 103. Claims 17, 19 and 20 are, therefore, allowable over the purported combination of *Deen, Saito, McChesney, Dillingham* and *Harrison*.

### III. **Conclusion**

For the reasons set forth above, Applicant respectfully requests allowance of the pending claims.

If additional fees are required for any reason, please charge Deposit Account No. 02-4800 the necessary amount.

Respectfully submitted,

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